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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,360	10/08/2002	Akira Ohmura	106121.09	5648

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EXAMINER

HERNANDEZ, NELSON D

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,360

Applicant(s)

OHMURA, AKIRA

Examiner

Nelson D. Hernandez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-8 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-8 and 11-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/18/05, 7/14/04, 5/4/04, 1/23/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges the preliminary amendments made to the claims filed on May 10, 2005. Claims 1, 2, 6 and 7 have been amended. Claims 4, 5, 9 and 10 have been canceled. Claims 11-19 have been newly added.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because in fig. 15, block S521, the label "DELETIG TRANSMITTED CAMERA FILES OTHER THAN PTOTECTED" should be written as "DELETING TRANSMITTED CAMERA FILES OTHER THAN PROTECTED". Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 6, 7, 8, 13, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa, US Patent 6,947,075 B1 in view of Berstis, US Patent 6,721,001 B1.**

Regarding claim 1, Niikawa discloses a digital image storage system (See fig. 5) comprising: a digital camera (See fig. 1: 1) having a memory (memory card 8 as shown in fig. 4) capable of storing digital images; a data storage (PC 1000 as shown in fig. 5), the data storage further including a storage medium (hard disc drive HD1 shown in fig. 5) that stores the digital images transmitted from the digital memory; and a controller (CPU 211 as shown in fig. 4) that executes a program for controlling the transmission and the storage of the digital images in the at least one folder in the storage medium (See folders in figs. 7(b) and 8(b) show in the screen of the digital camera 1), wherein after receiving a first command (Depression of button F2 as shown in fig. 6: step D22) that will result in the transmitted digital images being stored in a predetermined folder, the controller waits for a predetermined period for a second command that designates a different folder in which the digital images are to be stored (The user can select a different folder after depression of button F2 as shown in the window D12 in fig. 8(b)), and executes the second command if the second command is

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received within the predetermined period (the images would be stored in a different folder after the depression of the button F1 as shown in fig. 6: D23; the controller waits until the second command (when the user click OK button to indicate that the folder has been selected and press F1 to transfer the image data; see col. 8, lines 30-64) is received. The time period is defined from the moment that the folder selection dialog appears in the camera screen until the user click OK to indicate that the folder has been selected) (Col. 3, lines 17-38; col. 4, lines 5-50; col. 8, lines 14-65).

Niikawa does not explicitly disclose that the data storage includes a docking station on which the digital camera can be placed, wherein said data storage stores the digital images transmitted from the digital memory through said docking station.

However, Berstis teaches a discloses a digital image storage system comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214) capable of storing digital images; a data storage (Berstis teaches that the images are transmitted to a server or a computer system; col. 2, lines 40-46; col. 4, lines 53-63) having a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently teaches a data storage having a storage medium for storing the digital images since a storage medium is necessitated to store the image data; col. 2, lines 40-46; col. 4, lines 53-63; a docking station (Fig. 1: 106) on which the digital camera can be placed to transmit the digital images stored in the memory of said camera to the storage medium in the data storage through said docking station; a controller (Fig. 2: 216) that controls the transmission of the digital images from the digital camera memory to the storage medium (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

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Having a docking station to establish communication between the camera and the data storage is advantageous because it would allow the user to connect the digital camera to different data storages (i.e. pc, laptops, PDA's, etc), using the camera connected to the docking station as an external device that can be placed closer to the user for easy access offering the necessary support to secure the camera in place, reducing the amount of parts and costs of the data storage.

Therefore, taking the combined teaching of Niikawa in view of Berstis as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niikawa by having the storage including a docking station on which the digital camera can be placed, wherein said data storage stores the digital images transmitted from the digital memory through said docking station. The motivation to do so would have been to improve the digital image storage by allowing the user to connect the digital camera to different data storages (i.e. pc, laptops, PDA's, etc), using the camera connected to the docking station as an external device that can be placed closer to the user for easy access offering the necessary support to secure the camera in place, reducing the amount of parts and costs of the data storage.

Regarding claim 2, Niikawa discloses a manually operable member for generating the second command (F2 button as shown in fig. 2).

Regarding claim 3, Niikawa discloses that the manually operable member is arranged at the digital camera (See buttons F1, F2, F3 and track ball arranged at the camera as shown in fig. 2).

Regarding claim 6, the combined teaching of Niikawa in view of Berstis teaches the same as in claim 1. Therefore, grounds for rejecting claim 1 apply here.

Regarding claim 7, limitations can be found in claim 2.

Regarding claim 8, limitations can be found in claim 3.

Regarding claim 13, Niikawa discloses a user interface for generating the second command (See buttons F1, F2, F3 and track ball 14 at the camera body in fig. 2; see also figs. 7(a), 7(b), 8(a) and 8(b)).

Regarding claim 17, limitations can be found in claim 13.

Regarding claim 19, limitations in claim 19 have analyzed and discussed in claim 1. Grounds for rejecting claim 1 apply here.

6. Claims 11, 12, 14, 15, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa, US Patent 6,947,075 B1 in view of Berstis, US Patent 6,721,001 B1 and further in view of Chatani, JP 08-069684 A.

Regarding claim 11, the combined teaching of Niikawa in view of Berstis fails to teach that the controller is located at the data storage.

However, Chatani discloses a digital image storage (Fig. 1) system comprising: a data storage (Fig. 1: 1) including a docking station (see fig. 1: 6) on which a digital camera (Fig. 1: 10) can be placed for transmitting images stored in a memory (Fig. 1: 8) of the digital camera to the docking station, the data storage further including a storage medium (Fig. 1: 2) that stores the transmitted digital images; and a controller (control circuit in fig. 2: 23) that controls the transmission of the digital images (Fig. 3, step S102) from the digital camera automatically upon receiving a connection signal from the

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docking station interface where the camera is connected (See translation, page 6, ¶ 0019, ¶ 0023 – page 7, ¶ 0029). Having the controller located at the data storage, receiving a signal from the docking station to execute the program to transfer the image data from the camera to the data storage and having said controller automatically transfer the image data is advantageous because it would reduce the costs and size of the digital camera since it would reduce the number of components of said digital camera and it would also minimize the steps needed for transmission of image data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital image storage system of Niikawa and Berstis by having the controller located at the data storage, wherein said controller receives the signal from the docking station to execute the program and to modifying the controller to controller automatically transfer the image data from the camera to the data storage. The motivation to do so would have been to reduce the costs and size of the digital camera since it would reduce the number of components of said digital camera and it would also minimize the steps needed for transmission of image data.

Regarding claim 12, 14, 15, 16 and 18, limitations in claims 12, 14, 15, 16 and 18 have been analyzed and discussed in claim 11. Therefore, grounds for rejecting claim 11 apply here.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez
Examiner
Art Unit 2622

NDHH
May 23, 2006


TUAN HO
PRIMARY EXAMINER